IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9671 OF 2004

Nagnath Hanumansingh Marod .. Petitioner.
Vs.
Subhash Someshwar Tadakase & Ors. .. Respondents.

Mr.T.D.Deshmukh for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 15TH DECEMBER, 2004

P.C.:

. Heard Mr.Deshmukh, learned counsel for the petitioner.

2. The petitioner has impugned the order dated 4.10.2004 passed by the Civil Judge, Senior Division, Solapur in Regular Civil Suit No.342 of 2004 rejecting the application of the petitioner seeking appointment of the Court Commissioner to ascertain as to whether the petitioner is in possession of the suit premises. The application is rejected holding that the possession can be proved by leading evidence. I see no reason to exercise the writ jurisdiction under Article 227 of the Constitution of India to interfere with the impugned order. The writ petition, therefore, fails and is dismissed as such.

(D.B.Bhosale, J.)